

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOWANNA L. POLLARD,

Petitioner, : Case No. 3:08-cv-179

- vs -

: District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

COMMISSIONER OF SOCIAL
SECURITY,

:

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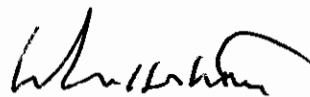
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #12), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Commissioner's decision that Plaintiff is not disabled and therefore not entitled to benefits under the Act is REVERSED. This matter is remanded to the Commissioner for payment of benefits consistent with the Act.

April 20, 2009.



Walter Herbert Rice
United States District Judge